

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION**

MICHAEL W. SULLIVAN, ET AL.,)	
)	
Plaintiffs,)	Case No. 2:13CV00040
)	
v.)	ORDER APPROVING NOTICE
)	
NINE MILE MINING, INC.,)	By: James P. Jones
)	United States District Judge
Defendant.)	

Plaintiffs have filed a Motion for Approval of Class Notice. No timely objections to the motion have been filed. It appearing proper, and after due consideration by the court, the motion (ECF No. 32) is GRANTED in part, as follows.

1. The proposed Notice is APPROVED, except that (1) the mailing address of the Court for notices of appearances must be amended to 180 West Main Street, Abingdon, VA 24210, in order to more rapidly process any such mail; and (2) the opt-out deadline date must be amended to Monday, June 16, 2014;

2. Defendant's counsel must cooperate with Plaintiffs' counsel to ensure that Plaintiffs have accurate mailing addresses for the class members;

3. Plaintiffs must arrange for mailing of the Notice to class members;
and

4. In addition, in order to provide the best notice practicable under the circumstances in the event addresses may have changed or have been recorded inaccurately, *see* Fed. R. Civ. P. 23(c)(2)(B), Plaintiffs must publish the Notice at least twice in a newspaper of general circulation in the geographical area of the coal mines that are the subject this action.

It is so **ORDERED**.

ENTER: April 28, 2014

/s/ James P. Jones
United States District Judge